

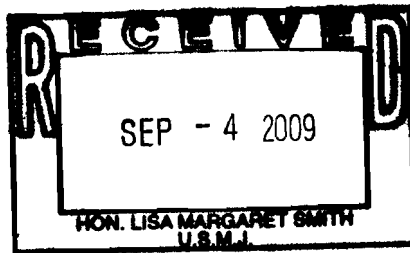
# LEGAL AID SOCIETY OF ROCKLAND COUNTY, INC.

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September 4, 2009

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Hon. Lisa Margaret Smith  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Re: Schwartzbaum v. Emigrant  
09-CV-3848(SCR)

Dear Judge Smith,

The parties by their attorneys respectfully request that this court hold in abeyance defendant's motion to dismiss until September 18, 2009. We hope in interim two (2) weeks a settlement can be reached as plaintiff is awaiting a decision on her request for a loan modification.

If the parties are not able to settle by the above date, the parties counsels will provide the court with a briefing schedule with regards to defendant's motion to dismiss.

If the court has any questions or believes that the above request is insufficient in some manner, please contact opposing counsel or myself at the court's convenience.

Yours respectfully,

Eric Feinberg, Esq.  
Eric Feinberg, Esq.

In light of the absence of any submitted proposed briefing schedule, it is **HEREBY ORDERED** that any motion shall be filed & served no later than Oct. 23, 2009. Opposition shall be served no later than Nov. 20. Reply shall be served no later than Dec. 11. The parties are directed to comply with scheduling rule in my individual rules - see Court website.



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of Rockland County

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